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## In the United States Patent and Trademark Office

Appn. Number: 09/892,976  
Appn. Filed: 06/27/2001  
Applicant(s): Charles L. Urso  
Appn. Title: Wearable Wireless Cap Phone  
Examiner/GAU: 2643 /324

Mailed: 12-28-2001  
At: \_\_\_\_\_

### Information Disclosure Statement

Commissioner of Patents and Trademarks  
Washington, District of Columbia 20231

Sir:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon.  
Following are comments on these references pursuant to Rule 98:

Following are comments and on recently found references to be added to those previously submitted. Brief discussions regarding recently found foreign references are on an attached page.

#### US PATENTS

Makins (US 4,776,044) shows a winter hat 10 with earphones 54, 56 in earflap pockets 44.

Sheppard (US 5,881,160) shows a cap 20 with an audio device 40 in the cap crown and speakers 42.

Boyden et al. (US 6,301,367) shows a cap 271 (FIGS. 23-26) with earpieces 272 attached with clips 274. An electronic module 304 is attached to cap 271. Earpieces 272 are not slidably supported for vertical adjustments as in Applicant's invention.

Mo (US 6,305,026) shows a cap 11 having pivotally supported earpieces 16, 17 attached. Earpieces 16, 17 are not slidably supported for vertical adjustments as in Applicant's invention.

## FOREIGN PATENTS

Jackson (WO 9518490) shows a cap with attached communication components. Included is a boom mounted microphone 50, visor mounted cardioid microphone 54, earpieces 62, an antenna 114, and a battery 94. The microphone boom 50 has a pivotal mounting 52 inside the cap crown which would come in direct contact with the user's temple; thus being a comfort problem for the user. As mounted, the boom would be largely exposed, rather than hidden, when in the retracted position. A keypad 116 is to be worn on the user's wrist, thus requiring the user to wear two items rather than one to make calls. The antenna 114 is fully exposed rather than hidden.

Bellot (ES 2118045) shows a cap 1 with earpieces 2 and indicates a radio 5.

Ueda (JP 10164202) shows a cap with attached telephone components that include a pivotally supported microphone arm 1, earphone 2, and a film-shaped antenna 6. The Ueda device lacks a stiff arched rib to provide structural support as in Applicant's invention. The Ueda film-shaped antenna 6, by its definition, is not a stiff rib and cannot provide the structural support of a stiff rib that is needed to support telephone components in a soft cap crown.

Very respectfully,




Charles L. Urso  
Applicant

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**Certificate of Mailing:** I certify that on the date below this document, attached references, and completed form PTO-1449, will be deposited with the U.S. Postal Service as first class mail in an envelope addressed to "Box Non-Fee Amendments, Assistant Commissioner for Patents, Washington, DC 20231."

Date: 12-28-2001

  
Charles L. Urso, Applicant



Sheet \_\_\_\_\_ of \_\_\_\_\_

FORM PTO-T49 (Substitute) <b>LIST OF PRIOR ART CITED BY APPLICANT</b> (Use several sheets if necessary)	ATTY. DOCKET NO.	SERIAL NO. 09/892.976
	APPLICANT Charles L. Urso	
	FILING DATE 06/27/2001	GROUP 2643

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,410,746	1995	Gelber	455	344	
	AB	5,634,201	1997	Mooring	455	90	
	AC	6,056,413	2000	Urso	362	106	
	AD	The references above were previously submitted.					
	AE						
	AF	4,776,044	1988	Makins	2	199	
	AG	5,881,160	1999	Sheppard	381	376	
	AH	6,301,367	2001	Boyden et al.	381	376	
	AI	6,305,026	2001	Mo	2	209.13	
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS					RECEIVED		
	AL	W09518490	1995	Jackson	JAN 25 2002		
	AM	<del>ES2118045</del> <i>CLU</i>			Technology Center 2600		
	AN	ES2118045	1998	Bellot			
	AO	JP10164202	1998	Ueda			
	AP						

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AR						
	AS						
	AT						

EXAMINER	DATE CONSIDERED
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.